

## **EXHIBIT A**

Boston Police Department  
Miranda Warning

Name: EARL CHARLEY

Address: 32 Bowdoin AV. #21

Date: September 28th, 2003 Time: 307 AM

Before we ask you any questions, you must understand your rights:

You have the right to remain silent. EC  
initials

Anything you say can be used against you in a court of law or other proceedings. EC  
initials

You have the right to talk to a lawyer for advice before we ask you any questions and to have him/her with you during questioning. EC  
initials

If you cannot afford a lawyer and you want one, a lawyer will be provided for you by the Commonwealth without cost to you. EC  
initials

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time until you talk to a lawyer. EC  
initials

I, Earl Charley, have read and understand the above rights as explained to me by Det. Stephen T. O'Brien, and I am willing to make a statement at this time without a lawyer being present.

Signed X Earl Charley

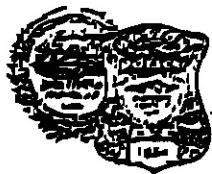
Witness SJ Cants #11895

Det. Stephen T. O'Brien # 9033

Jon Michael Harber  
P.O. Jon MICHAEL HARBER # 11129

## **EXHIBIT B**

TOTAL P.01



# Boston Police D E P A R T M E N T

## WAIVER OF PROMPT ARRAIGNMENT

I, Earl Charley, have been advised of the following legal rights:

1. I have a right to be promptly brought to a district court for arraignment before a judge if the court is in session, and if not, at its next session. I understand that the court is open Monday through Friday 8:30 a.m. to 4:30 p.m., excluding legal holidays.
2. At the arraignment:
  - a. I have the right to be represented by an attorney. An attorney will be appointed to represent me if I want one and it is determined that I cannot afford to hire my own attorney;
  - b. The court will decide whether or not I will be held on bail pending trial;
  - c. The charges brought by the government will be read, and I will have the opportunity to enter my plea;
  - d. I will have the opportunity for a judicial determination of probable cause to arrest me, if that determination has not already been made.
3. I understand that no statement I make six or more hours after my arrest will be accepted by the court unless I waive my right to prompt arraignment.
4. I have been informed of my Miranda rights.

I understand each of these rights, and having those rights in mind, I waive my right to prompt arraignment voluntarily and wish to speak to the police.

SEPT. 28th, 2003 3<sup>0</sup>'PM

Date and Time

XO #1119  
Signature of Witness

Earl Charley  
Signature of Arrestee

Sgt. J. O'Brien  
Signature of Police Officer